Ormiston Academies Trust

Ormiston Sandwell Community Academy CCTV policy

Policy version control

Policy type	Mandatory
Author	Alexandra Coughlan, Data Protection and Complaints Manager
Approved by	National Leadership Group, October 2024
Release date	November 2024
Review	Policies will be reviewed in line with OAT's internal policy schedule and/or updated when new legislation comes into force
Description of changes	▪ Policy status changed to mandatory ▪ Appendix 3 removed

Contents

1. Introduction

1.1.   At Ormiston Academies Trust (referred to as "the trust" and any or all its academies), we take our responsibility towards the safety of staff, visitors, and pupils very seriously. To that end, we use surveillance cameras to monitor for the safety and wellbeing of students, staff, and visitors.

1.2.   The purpose of this policy is to manage and regulate the use of the surveillance and CCTV systems at the Trust's Academies and ensure that:

- The images captured are being handled in accordance with data protection legislation as set out under UK GDPR
- The images that are captured are useable for the purposes we require them for.

1.3.   This policy covers the use of surveillance and CCTV systems which capture moving and still images of people who could be identified, as well as information relating to individuals for any of the following purposes:

- Observing what an individual is doing to ensure safety of students, staff, and visitors
- Taking action to prevent a crime
- Using images of individuals that could affect their privacy

2. Legal framework

2.1.   This policy has due regard to legislation including, but not limited to, the following:

- The Protection of Freedoms Act 2012
- The UK General Data Protection Regulation
- The Data Protection Act 2018
- The Freedom of Information Act 2000
- The Education (Pupil Information) (England) Regulations 2005 (as amended in 2016)
- The Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004
- The School Standards and Framework Act 1998
- The Children Act 1989
- The Children Act 2004
- The Equality Act 2010

2.2.   This policy has been created with regard to the following statutory and non-statutory guidance:

- Amended surveillance camera code of practice 2021
- ICO (2022) 'Guide to the UK General Data Protection Regulation (UK GDPR)'
- ICO (2017) 'In the picture: A data protection code of practice for surveillance cameras and personal information'

3. Definitions

3.1.   For the purpose of this policy a set of definitions will be outlined, in accordance with the surveillance code of conduct:

3.2.   Surveillance – monitoring the movements and behaviour of individuals; this can include video, audio, or live footage. For the purpose of this policy only video and audio footage will be applicable.

3.3.   Overt surveillance – any use of surveillance for which authority does not fall under the Regulation of Investigatory Powers Act 2000.

3.4.   Covert surveillance – any use of surveillance which is intentionally not shared with the subjects it is recording. Subjects will not be informed of such surveillance.

3.5.   The Trust does not condone the use of covert surveillance when monitoring the academy's staff, pupils and/or volunteers.

3.6.   Any overt surveillance footage will be clearly signposted around the academy.

4. Roles and responsibilities

4.1.   Ormiston Academies Trust, as the corporate body, is the data controller. The CEO of the Trust therefore has overall responsibility for ensuring that records are maintained, including security and access arrangements in accordance with regulations, however this will be delegated to Principals.

4.2.   The Data Protection Officer for the Trust is responsible for providing advice and guidance on any potential risks to the rights and freedoms of individuals

4.3.   The Data Protection Lead deals with the day-to-day matters relating to data protection

5. Purpose and justification

5.1.   The purpose of CCTV monitoring is to deter crime and to protect the safety and property of the academy. Safety and security purposes include, but are not limited to:

5.2.   Protection of individuals, including students, staff, and visitors;

5.3.   Protection of academy-owned and/or operated property and buildings, including equipment, building perimeters, entrances and exits, lobbies and corridors, and internal spaces;

5.4.   Verification of alarms and access control systems;

5.5.   Patrol of common areas and areas accessible to the public

5.6.   Investigation of criminal activity, safeguarding incidents, and serious disciplinary activity.

5.7. The lawful bases we rely on to process CCTV footage are:

- Article 6 (1) (e) Processing is necessary to perform a task in the public interest or for our official functions, and the task or function has a clear basis in law. Our basis in law is set out in:
  - Section 175 of the Education Act 2002
  - the Education (Independent School Standards) Regulations 2014
  - the Non-Maintained Special Schools (England) Regulations 2015
  - the Education and Training (Welfare of Children) Act 2021
  - Keeping Children Safe in Education 2024
  - the Health and Safety at Work etc. Act 1974
- Article 6 (1) (f) the processing is necessary for our legitimate interests unless there is a good reason to protect the individual's personal data which overrides those legitimate interests

6. Protocols

6.1. The surveillance system will be registered with the ICO in line with data protection legislation.

6.2. The surveillance system is a closed system which must not have the option to record sound enabled

6.3. Warning signs have been placed throughout the premises where the surveillance system is active, as mandated by the ICO's Code of Practice. See section 7 for additional information.

6.4. The surveillance system has been designed for maximum effectiveness and efficiency; however, the academies cannot guarantee that every incident will be detected or covered and 'blind spots' may exist.

6.5. The surveillance system will not be trained on individuals unless an immediate response to an incident is required.

6.6. The surveillance system will not be trained on private vehicles or property outside the perimeter of the academy.

7. Code of practice

7.1. The Trust understands that recording images of identifiable individuals constitutes as processing personal information, so it is done in line with data protection principles.

7.2. The Trust notifies all pupils, staff, and visitors of the purpose for collecting surveillance data via a privacy notice which will be displayed on notice boards and on individual academy websites

7.3. CCTV cameras are only placed where they do not intrude on anyone's privacy and are necessary to fulfil their purpose.

7.4. All surveillance footage will be kept for up to six weeks for security purposes; the principal and the Data Protection Lead are responsible for keeping the records secure and allowing access.

7.5. The academy has a surveillance system for the purpose of the prevention and detection of crime and the promotion of the health, safety and welfare of staff, pupils, and visitors.

7.6. The surveillance and CCTV system is owned by the academy and images from the system are strictly controlled and monitored by authorised personnel only. Please see appendix 1

7.7. The academy will ensure that the surveillance and CCTV system is used to create a safer environment for staff, pupils and visitors to the academy, and to ensure that its operation is consistent with the obligations outlined in data protection legislation.

7.8. The surveillance and CCTV system will:

- Be designed to take into account its effect on individuals and their privacy and personal data.
- Be transparent and include a contact point, the DPL, through which people can access information and submit complaints.
- Have clear responsibility and accountability procedures for images and information collected, held, and used.
- Only keep those images and information for as long as required after six months.
- Restrict access to retained images and information with clear rules on who can gain access.
- Consider all operational, technical and competency standards, relevant to the surveillance and CCTV system and its purpose, and work to meet and maintain those standards in accordance with the law.
- Be subject to stringent security measures to safeguard against unauthorised access.
- Be regularly reviewed and audited to ensure that policies and standards are maintained.
- Only be used for the purposes for which it is intended, including supporting public safety, the protection of pupils, staff and volunteers, and law enforcement.
- Be accurate and well maintained to ensure information is up to date.

8. Right of access

8.1. Under the UK GDPR, individuals have the right to obtain confirmation that their personal information is being processed in line with the data protection principles.

8.2. All disks containing images belong to, and remain the property of, the trust.

8.3. Individuals have the right to submit a Subject Access Request (SAR) to gain access to their personal data in order to verify the lawfulness of the processing.

8.4. The academy will verify the identity of the person making the request before any information is supplied.

8.5. A copy of the information will be supplied to the individual free of charge; however, the academy may impose a 'reasonable fee' to comply with requests for further copies of the same information.

8.6. Where an SAR has been made electronically, the information will be provided in a commonly used electronic format.

8.7.   Requests by persons outside the academy for viewing or copying disks, or obtaining digital recordings, will be assessed by the principal, who will consult the DPO, on a case-by-case basis with close regard to data protection and freedom of information legislation.

8.8.   Where a request is manifestly unfounded, excessive, or repetitive, a reasonable fee could be charged however

8.9.   Where a request is manifestly unfounded or excessive, the academy holds the right to refuse to respond to the request. The individual will be informed of this decision and the reasoning behind it, as well as their right to complain to the ICO and to a judicial remedy, within one month of the refusal.

8.10.   All fees will be based on the administrative cost of providing the information.

8.11.   All requests will be responded to without delay and at the latest, within one calendar month of receipt.

8.12.   In the event of numerous or complex requests, the period of compliance will be extended by a further two months. The individual will be informed of this extension and will receive an explanation of why the extension is necessary, within one month of the receipt of the request.

8.13.   In the event that a large quantity of information is being processed about an individual, the academy will ask the individual to specify the information the request is in relation to.

8.14.   It is important that access to, and disclosure of, the images recorded by surveillance and CCTV footage is restricted and carefully controlled, not only to ensure that the rights of individuals are preserved, but also to ensure that the chain of evidence remains intact, should the images be required for evidential purposes.

8.15.   Releasing the recorded images to third parties will be permitted only in the following limited and prescribed circumstances, and to the extent required or permitted by law:

8.16.   The police – where the images recorded would assist in a specific criminal inquiry

8.17.   Prosecution agencies – such as the Crown Prosecution Service (CPS)

8.18.   Relevant legal representatives – such as lawyers and barristers

8.19.   Persons who have been recorded and whose images have been retained where disclosure is required by virtue of data protection legislation

8.20.   Requests for access or disclosure will be recorded and the principal will make the final decision as to whether recorded images may be released to persons other than the police.

8.21.   Due to differing timescales for retention of CCTV footage, it may not be possible to provide the requested footage as it may have been overwritten prior to the request being received.

8.22.   The Data Protection Act 2018 that says a data controller does not have to comply with a SAR, if doing so means disclosing information which identifies another individual, except where the consent of that

third party has been obtained OR where it is reasonable to comply without the consent of a third party. This could mean that it is not possible to comply with requests due to the inability to redact images of third parties successfully.

9.   Roles and responsibilities

9.1.   The role of the data controller includes:

- Processing surveillance and CCTV footage legally and fairly.
- Collecting surveillance and CCTV footage for legitimate reasons and ensuring that it is used accordingly.
- Collecting surveillance and CCTV footage that is relevant, adequate, and not excessive in relation to the reason for its collection.
- Ensuring that any surveillance and CCTV footage identifying an individual is not kept for longer than is necessary.
- Protecting footage containing personal data against accidental, unlawful destruction, alteration, and disclosure – especially when processing over networks.

9.2.   The role of the principal includes:

- Meeting with the relevant project lead to decide where CCTV is needed to justify its means.
- Conferring with the DPO with regard to the lawful processing of the surveillance and CCTV footage.
- Complete a DPIA to ensure all risk have been identified and mitigated sufficiently

9.3.   The role of the DPO includes:

- Monitoring legislation to ensure the academy is using surveillance fairly and lawfully.
- Communicating any changes to legislation with the Trust.
- Advising on the appropriate lawful basis for processing CCTV footage
- Assisting with the completion of a DPIA
- Assisting with the completion of a legitimate interest's assessment where necessary

9.4.   The role of the DPL includes:

- Administering requests for CCTV footage
- Ensuring records of all viewing requests are kept up to date
- Ensuring footage is deleted in line with stated retention periods

10. Signage

10.1. The ICO confirm that for academies to ensure their CCTV in operation signs are GDPR compliant, they should:

- Ensure signage is clear and visible, e.g. outdoor signs are not covered by overhanging branches.
- Ensure signage is an appropriate size, e.g. if the CCTV is located near a drop off point it needs to be big enough for driver to see it from inside a car.
- Ensure, if it captures images outside the academy's site, signs are clearly displayed for pedestrians.
- Ensure staff know who to talk to if they get asked about the images captured on CCTV.

10.2.   Furthermore, when creating CCTV in operation signs, the wording used must include:

- The details of the organisation operating the system.
- The purpose of its use, e.g. crime prevention.
- Who to contact if individuals have any enquires pertaining to the images being captured by the CCTV, e.g. the data protection officer (DPO) or principal.

11. Security

11.1.   Access to the surveillance system, software and data will be strictly limited to authorised operators and will be password protected.

11.2.   The main control facility is kept secure and locked when not in use.

11.3.   Surveillance and CCTV systems will be tested for security flaws once a month to ensure that they are being properly maintained at all times.

11.4.   Surveillance and CCTV systems will not be intrusive.

11.5.   Any unnecessary footage captured will be securely deleted from the academy's system.

11.6.   Any cameras that present faults will be repaired as soon as possible to avoid any risk of a data breach.

11.7.   Visual display monitors are located in secure areas where they cannot be overseen.

11.8.   The SCC surveillance checklist will be completed annually and kept on file

11.9.   When CTV is viewed, downloaded, or extracted from the system, a record will be made in the CCTV log which details time, date, reason, who the footage was shared with and in what format it was provided.

12. Privacy by design

12.1.   The use of surveillance cameras and CCTV will be critically analysed using a Data Protection Impact Assessment (DPIA), in consultation with the DPO.

12.2.   A DPIA will be carried out prior to the installation of any new surveillance and CCTV system.

12.3.   If the DPIA reveals any potential security risks or other data protection issues, the academy will ensure they have provisions in place to overcome these issues.

12.4.   Where the academy identifies a high risk to an individual's interests, and it cannot be overcome, the academy will consult the ICO before they use CCTV, and the academy will act on the ICO's advice.

12.5.   The academy will ensure that the installation of the surveillance and CCTV systems will always justify its means.

12.6.   If the use of a surveillance and CCTV system is too privacy intrusive, the academy will seek alternative provision.

13. Access

13.1.   Options for responding where the academy does not have redaction technology could include:

- Inviting the data subject and/or their representative in to view the footage while manually redacting third parties
- Providing a still of the footage with third parties manually redacted
- Obtaining consent from third parties
- Refusing to comply with the request

14. Authorised users

14.1.   Staff members who are authorised to access and process data contained in the CCTV system and who have had appropriate training are:

Name	A Morgan
Job Role	Group IT Manager
Access Level (Full Admin, View, Copy, Live, etc.)	Full Admin
Reason for access	Behaviour Management, Site Security, Health & Safety
Cameras that can be accessed (Ref to camera list in Appendix 2)	All Cameras

Name	A Hill
Job Role	Lead IT Technician
Access Level (Full Admin, View, Copy, Live, etc.)	Full Admin
Reason for access	Behaviour Management, Site Security, Health & Safety
Cameras that can be accessed (Ref to camera list in Appendix 2)	All Cameras

Name	P McKinniss
Job Role	Head of School
Access Level (Full Admin, View, Copy, Live, etc.)	View, Live
Reason for access	Behaviour Management, Site Security, Health & Safety
Cameras that can be accessed (Ref to camera list in Appendix 2)	All Cameras

Name	M Horton
Job Role	AP for Behaviour & Attendance
Access Level (Full Admin, View, Copy, Live, etc.)	View, Live
Reason for access	Behaviour Management, Site Security, Health & Safety
Cameras that can be accessed (Ref to camera list in Appendix 2)	All Cameras

Name	K Prentice
Job Role	DSL
Access Level (Full Admin, View, Copy, Live, etc.)	View, Live
Reason for access	Behaviour Management, Site Security, Health & Safety
Cameras that can be accessed (Ref to camera list in Appendix 2)	All Cameras

Name	E Kelleher
Job Role	DSL
Access Level (Full Admin, View, Copy, Live, etc.)	View, Live
Reason for access	Behaviour Management, Site Security, Health & Safety
Cameras that can be accessed (Ref to camera list in Appendix 2)	All Cameras

Name	K Jackson
Job Role	Senior Pastoral Support
Access Level (Full Admin, View, Copy, Live, etc.)	View, Live
Reason for access	Behaviour Management, Site Security, Health & Safety
Cameras that can be accessed (Ref to camera list in Appendix 2)	All Cameras

Appendix 1 List of cameras

Please list all cameras and locations

Camera Number	Location	Live / Live & Record / Record
01	C Block Rear Exit	Live & Record
02	C Block Landscape 1	Live & Record
03	C Block Main Entrance	Live & Record
04	C Block Science Exit	Live & Record
05	C Block Fields 1	Live & Record
06	C Block Path to Maths	Live & Record
07	C Block Fields 2	Live & Record
08	O Block Dining	Live & Record
09	O Block Science Garden	Live & Record
10	O Block PA Classes Entrance	Live & Record
11	O Block Dining & DT	Live & Record
12	O Block Landscape 2	Live & Record
13	O Block Stairs Entrance	Live & Record
14	O Block VP Entrance	Live & Record
15	O Block Landscape Area 1	Live & Record
16	S Block C Block Pathway	Live & Record
17	S Block Science Rear Entrance	Live & Record
18	S Block O Rear Entrance	Live & Record
19	S Block PA Entrance	Live & Record
20	Maths Exit to PA	Live & Record

21	Main Car Park	Live & Record
22	Registration Plate	Live & Record
23	Lower Access Road	Live & Record
24	Reception Entrance	Live & Record
25	A Block Landscape 2	Live & Record
26	A Block Landscape 3	Live & Record
27	LRC	Live & Record
28	PE Great Hall Exit	Live & Record
29	Site Office	Live & Record
30	Lower Car Park	Live & Record
31	Gym – Upper Car Park	Live & Record
32	Gym – Basketball Courts	Live & Record
33	Rear Tech – Football Machines	Live & Record
34	Upper Access Road	Live & Record
35	Great Hall PE Entrance	Live & Record
36	Science VP Entrance	Live & Record
37	Science VP Rear Exit	Live & Record
38	Astro Turf 1	Live & Record
39	Astro Turf 2	Live & Record
40	S Block Entrance 1	Live & Record
41	C Block Landscape 2	Live & Record
42	A Block Landscape 1	Live & Record

58	Outside S1	Live & Record
59	Science Stairs	Live & Record
60	Science Entrance	Live & Record
61	Science Toilets	Live & Record
62	Science Corridor 4	Live & Record
63	Science Corridor 2	Live & Record
64	Science Corridor 3	Live & Record
65	Science Above Prep Room	Live & Record
66	Science Corridor 5	Live & Record
67	MFL Entrance	Live & Record
68	MFL Entrance above Door	Live & Record
69	MFL Stairwell Entrance	Live & Record
70	MFL Stairs 1	Live & Record
71	MFL Corridor 1	Live & Record
72	MFL Corridor 2	Live & Record
73	IT Stairs 1	Live & Record
74	MFL Office Corridor 1	Live & Record
75	MFL Office Corridor 2	Live & Record
76	PAPA Corridor 1	Live & Record
77	PAPA Corridor 2	Live & Record
78	IT Stairs 4	Live & Record
79	Art Stairs 2	Live & Record
80	Stairs 5	Live & Record

81	Stairs 6	Live & Record
82	IT Corridor 2	Live & Record
83	IT Corridor 1	Live & Record
84	IT Stairs 2	Live & Record
85	Art Stairs 1	Live & Record
86	Art Corridor 1	Live & Record
87	Art Corridor 2	Live & Record
88	MFL Girls Toilets	Live & Record
89	Art Toilets	Live & Record
93	S1 Toilets	Live & Record
100	S16 Classroom 1	Live & Record
101	S17 Classroom 1	Live & Record
102	S16 Classroom 2	Live & Record
103	S15 Classroom 1	Live & Record
104	S15 Classroom 2	Live & Record
105	S15 Classroom 2	Live & Record
106	S22 Classroom 1	Live & Record
107	S22 Classroom 2	Live & Record
108	C Block Entrance 1	Live & Record
109	C Block Downstairs Office	Live & Record
110	C Block Girls Toilets	Live & Record
111	C Block Boys Toilets	Live & Record
112	C Block Dining 2	Live & Record

113	C Block Dining 1	Live & Record
114	C Block Maths Corridor	Live & Record
115	C Block Entrance 2	Live & Record
116	C Block Stairwell	Live & Record
117	C Block First Corridor 1	Live & Record
118	C Block First Corridor 2	Live & Record
119	C Block First Corridor 3	Live & Record
120	C Block First Corridor 4	Live & Record
121	C Block First Stairwell 2	Live & Record
122	C Block Stairs Corridor	Live & Record
124	ISR 1	Live & Record
125	ISR 2	Live & Record
127	S25 Classroom 1	Live & Record
128	S25 Classroom 2	Live & Record
129	PAPA Office	Live & Record
130	PAPA IT 1	Live & Record
131	PAPA IT 2	Live & Record
132	PAPA IT 3	Live & Record
133	PAPA IT 4	Live & Record
140	PAPA Hub Room	Live & Record
155	ISR 3	Live & Record
4	PE Corridor	Live & Record

5	PE Corridor 2	Live & Record
6	IE Stairwell	Live & Record
8	PE Girls Entrance	Live & Record
9	Multi Gym	Live & Record
11	Fitness Area	Live & Record
12	IE Toilets Girls	Live & Record
13	IE Toilets Boys	Live & Record
14	Reflection Room	Live & Record
15	IT Corridor	Live & Record
16	IE Stairwell 2	Live & Record
18	Stage 1	Live & Record
19	Stage 2	Live & Record
20	LRC Breakout 1	Live & Record
22	LRC Breakout 3	Live & Record
23	LRC	Live & Record
24	Reception	Live & Record
25	Admin Corridor	Live & Record
29	Lockers Corridor	Live & Record
30	Locker Corridor Boys Toilets	Live & Record
31	Locker Corridor Girls Toilets	Live & Record
32	LRC Breakout 2	Live & Record
33	Data Corridor 1	Live & Record
34	Data Stairs	Live & Record

35	Data Lower Entrance	Live & Record
36	Lower Data Reval Corridor	Live & Record
37	Dining Boys Toilets	Live & Record
38	Dining Girls Toilets	Live & Record
39	Dining Room 1	Live & Record
40	BASE Classroom	Live & Record
41	Dining Room 3	Live & Record
42	Dining Room 4	Live & Record
43	Tech Corridor 1	Live & Record
44	Tech Corridor 2	Live & Record
45	English Corridor 1	Live & Record
46	English Corridor 2	Live & Record
47	English Corridor 3	Live & Record
48	English Corridor 4	Live & Record
49	English Stairs	Live & Record
50	Humanities Corridor 4	Live & Record
51	Humanities Rear Entrance	Live & Record
52	Humanities Corridor 3	Live & Record
53	Humanities Corridor 2	Live & Record
54	Humanities Corridor 1	Live & Record
55	O Block Stairs	Live & Record
57	Great Hall	Live & Record
98	A5 Classroom 2	Live & Record

99	A5 Classroom 1	Live & Record
91	BASE IT Room	Live & Record
92	RR Lower Stairs	Live & Record
97	Meeting Corridor 1	Live & Record
122	Meeting Corridor 2	Live & Record
123	Conference Room 2	Live & Record
126	Conference Room 1	Live & Record
150	A3 Classroom 1	Live & Record
151	A3 Classroom 2	Live & Record
152	A3 Classroom 3	Live & Record
153	A3 Classroom 4	Live & Record
154	BASE IT Room 2	Live & Record
156	Dining Room 2	Live & Record
157	Reception Reval	Live & Record